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Wells Fargo Bank, NA

**UNITED STATES BANKRUPTCY COURT  
 DISTRICT OF NEVADA**

In Re:	BK Case No.: 10-18029-mkn
Ruben C. Perea and Debbie L. Perea	Date: Time:
	Chapter 7
Debtors.	

**EX-PARTE APPLICATION FOR AN AMENDED ORDER VACATING AUTOMATIC STAY**

Wells Fargo Bank, NA, Secured Creditor herein, ("Secured Creditor" or "Movant" hereinafter), requests from this Court amend the Order Vacating the Automatic Stay that was entered on July 19, 2010.

This motion is supported by the following Memorandum of Points and Authorities.

**MEMORANDUM OF POINTS AND AUTHORITIES**

1. That on or about April 30, 2010, the above named Debtors filed this instant Chapter 7 Petition in Bankruptcy with the Court.

1 Secured Creditor is the current payee of a promissory note dated November 14, 2002 in the principal  
2 sum of \$132,949.00 ("Promissory Note" herein), secured by a Real Property Trust Deed of same date  
3 ("Trust Deed" herein) upon property generally described as 2959 Township Road 20, Cardington, OH  
4 43315, and legally described as follows:

5 Being a part of Lot 24 and a part of Lot 25; Quarter 4; Township 7 North; Range 16 West;  
6 Harmony Township; Morrow County; State of Ohio; and more particularly described as  
7 follows:

8 Commencing at a square bolt found at the Intersection of township road #20 and County Road  
9 #25; this also being in the North line of Lot 24;

10 Thence South 22 deg. 07' 10" West; with the center of township road #20, a distance of  
11 225.00 feet to a railroad spike set and THE TRUE PLACE OF BEGINNING:

12 Thence South 21 deg. 44' 19" East; crossing an iron pin set at 40.00 feet, a total distance of  
13 369.48 feet to an iron pin set; thence South 85 deg. 00' 00" East; a distance of 160.00 feet to  
14 an iron pin set;

15 Thence South 05 deg. 00' 00" West; a distance of 195.00 feet to an iron pin found;

16 Thence North 85 deg. 00' 00" West; crossing the West line of Lot 24 (East Line of Lot 25) at  
17 338 feet, more or less, and crossing an iron pin found at 457.93 feet; a total distance of 487.93  
18 feet to a railroad spike found in the center of township road #20;

19 Thence North 22 deg. 07' 10" East; with the center of township road #20 and crossing the west  
20 line of Lot 24 (East line of Lot 25) at 526 feet, more or less; a total distance of 549.31 feet to  
21 the place of beginning, Containing 3.064 acres of land, more or less, (2.198 acres in Lot 24  
22 and 0.866 acres in Lot 25, more or less) and subject to all legal highways, right-of-ways,  
23 easements, restrictions, and agreements of record.

24 All set Iron pins are solid 5/8 inch and bear a plastic cap stamped "Garverick L. S. 6816"

25 Prior Deed Volume 363, Page 259 Basis of bearings: Engineer's Plat Book II, Page 350. The  
26 above description is based upon a survey by Jan K. Garverick, L.S. 6816; Dated November  
2001. VOLUME

("subject property" herein).

2. On or about June 3, 2010, Secured Creditor filed a Motion for Relief from Automatic  
Stay in regards to the Subject Property. However, the address inadvertently included both 2959 and  
2927 Township Road 20, Cardington, OH 43315 due to a clerical error.

3. The Debtors did not file an Opposition to the Motion or appear at the hearing.

4. On or about July 19, 2010, an Order Vacating the Automatic Stay was filed. However,  
the address on the Order also inadvertently included both 2959 and 2927 Township Road 20,  
Cardington, OH 43315 due to a clerical error.

1           5.     The Debtors' schedules properly indicate that the address of the asset securing the loan  
2 is 2959 Township Road 20, Cardington, OH 43315.

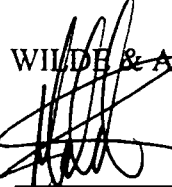
3           6.     All other information, including the legal description, in the Motion for Relief and Order  
4 Vacating Stay are accurate.

5           7.     Secured Creditor requests that the Order Vacating the Automatic Stay be amended to  
6 only include the proper address of 2959 Township Road 20, Cardington, OH 43315.

7           WHEREFORE, for all of the foregoing reasons, Secured Creditor, Wells Fargo Bank, NA  
8 requests the Court to enter an Amended Order Vacating the Automatic Stay..

9                     Respectfully submitted, this 11 day of AUGUST 2010.

11                                     WILDE & ASSOCIATES

12                                     By:  10745  
13                                     Gregory L. Wilde, Esq.  
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17           Copies of the foregoing mailed this 11 day of August 2010

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26                     Trustee

                      Ruben C. Perea and Debbie L. Perea  
                      2959 Township Road 20  
                      Cardington, OH 43315  
                      Debtors